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COASTAL ENERGY IMPACT PROGRAM PROJECT ASSESSMENTS AND ENVIRONMENTAL IMPACT STATEMENTS

Environmental Guidelines for Preparation

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AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notice of guidelines.

SUMMARY: The purpose of these guidelines is to provide coastal States and local communities with a detailed description of the environmetnal information necessary as part of their applications for certain kinds of assistance under the Coastal Energy Impact Program (CEIP), section 308 of the Coastal Zone Management Act of 1972, as amended. These guidelines are designed to solicit information essential to the environmental review process required under the National Environmental Policy Act of 1969 (NEPA).

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

Each applicant requesting CEIP funding for a proposed project must complete an Environmental Impact Assessment, based on the following guidelines, to be submitted with the initial application. A copy of the EIA will be sent to the Coastal Energy Impact Program, OCZM/NOAA, Room 372, 3300 Whitehaven Street NW., Washington, D.C. 20235.

An EIA documents the analysis of environmental impacts associated with alternative courses of action studied during the decision making process. The assessment aids in the selection of the best alternative for the siting and construction of a proposed project.

I. CEIP GUIDELINES: ENVIRONMENTAL ASSESSMENT INFORMATION

A. PROCEDURES FOR PREPARING ENVIRONMENTAL IMPACT ASSESSMENTS

The purpose of an environmental impact assessment is to document the analysis of environmental impacts associated with alternative courses of action studied by the applicant during the development of the project proposal, so as to aid OCZM in making its determination as to whether an environmental impact statement (EIS) must be prepared in accordance with the National Environmental Policy Act of 1969. The assessment should also aid the applicant in the selection of an alternative as the proposed course of action. Because the environmental assessment will be used by OCZM in making its decision on the need for an EIS, the information contained in the assessment should be presented in a manner which clearly and succinctly describes the significant environmental impacts that may be associated with the proposed project and its alternatives. These guidelines are intended to aid the applicant in developing an EIA which will serve these needs.

1. *General Project Description*

Identify name of site, type of proposed facility and operation. Identify all specific elements of the project including size, land area, capacity in applicable units affected. Identify the project briefly and identify whether it is an alteration or modification of an existing facility, an additional facility by itself or in an existing complex, or one of the first facilities in a new complex. If it is part of a new complex, the review should address the entire complex rather than only the immediate construction activity addressed in the grant application.

2. *Beneficiaries*

a. Identify the name and size of the community, county or region to be affected.

b. Identify the new or expanded coastal energy activity which is triggering the proposed project.

c. Document the increases in employment and the anticipated increase in population in the community, county/town, or region.

3. *Project Alternatives*

This section shall describe the full range of options from which the proposed project was chosen, the adverse and beneficial environmental impacts of those options, and the reasons the various alternatives were not chosen (for example, different sites or designs, mitigating measures, etc.).

This section will be reviewed by the Office of Coastal Zone Management (OCZM) to determine if the most environmentally appropriate site, design, and timing for the proposed project has been selected.

The general procedure to be used in developing a description for each alternative is as follows:

(a) Describe what is the effect on the area if no action is taken.

(b) Determine objectives of the action, expressed in terms of desired accomplishment.

(c) Determine a general design for any physical structures required for the alternative. Describe possible approaches.

(d) Select a general site if the action involves a major facility.

(e) Develop a general description of the facility and its surrounding environment during construction and after completion of construction.

(f) Describe the character or nature, including existing use, of the environment physically affected, including any downstream uses of water bodies being altered.

(g) Prepare a short (e.g., one page) general description of each alternative. The description should be based on available maps, a visual reconnaissance of the site, and available literature. As an example, if the alternative were a hydroelectric dam, the description could consist simply of a "hydroelectric dam at about river mile 597 with a reservoir elevation of 1,290 ft. and a tailwater elevation of 950 ft. The turbines would be designed for a maximum flow rate of 80,000 cfs (corresponding to generation of 1800/NWe) and no fish ladders or navigation locks would be provided. The reservoir would extend upstream to mile 700. Lands to be inundated are currently used for agriculture. The river contains an important salmon spawning area and provides passage for numerous upstream migrants, etc."

4. *Project Design*

Briefly summarize engineering design. Applicants are advised to employ project design features and techniques which will result in the choice of the alternative providing the least disturbance to the surrounding environment.

Applicants having projects in the later stage of design or with final drawings completed will review all aspects of the project design and development for compatibility with environmental standards.

Environmental protection features with respect to design must meet Federal, State and local requirements, and where Federal, State or local environmental codes and ordinances differ, the most demanding standards must be incorporated into the project design.

5. *Compliance with State and Local Environmental permits and procedures.*

Indicate if the proposed project is subject to State/local environmental regulations and permit procedures. Summarize the results of compliance with these requirements and attach available documentation.

6. *Environmental Summary*

Briefly summarize the major unavoidable environmental problems of the proposed project. Evaluation of environmental impacts will be considered by the applicant in depth when filling out Section I B of these Guidelines.

7. *Short-Term and Long-Term Impacts of Project*

The short-term commitment of environmental resources will be compared to the proposed project's cumulative, long-term impacts. This section thus will discuss "trade offs": what long-term environmental productivity will be enhanced by the short-term uses of the environment in the proposed project. Special attention should be given to effects upon ecological inter-relationships, and to long-term hazards to human health and safety.

8. *Any irreversible and irretrievable commitment of resources which would be involved if the proposed project were implemented*

This section shall discuss and quantify, when possible, any irreversible or irretrievable uses of resources in the proposed project. "Resources" should be defined broadly to include not only air and water quality, but also archeologi-

cal or historical sites, the habitats of threatened or endangered species, dedicated uses areas such as parks and valuable, environmentally productive areas such as wetlands.

9. *Federal/State Agency Involvement*

a. Identify Federal/State agency funding of other projects as a result of the same coastal energy activity (if applicable). Attach comments received from the A-95 clearinghouse process.

b. Environmental Analysis of Participating Federal Agencies. Indicate if another Federal agency is participating in the project either through the provision of additional funds, a companion project, or a permit review authority. Summarize the results of the involved agency's environmental impact analysis and attach available documentation.

c. Identify existing and proposed area-wide planning agencies (both Federal and State) for the area under consideration.

d. Was the proposed project ever considered by other public funding agencies? Summarize the results.

10. *Consultation and coordination with others*

Since one of the intentions of NEPA was to open an important part of the planning process, environmental study, to public review and comment, all private and public organizations which have cooperated in or contributed to the preparation of the environmental information document should be listed. OCZM will review each project proposal to determine if the public has participated adequately at the earliest stages of a legally mandated public process.

11. *Processing*

Upon receipt, the applicant's Environmental Impact Assessment will be reviewed by the CEIP staff. When the EIA document for a proposed project is complete the usual review period will be 10 days.

In the event of omissions in the study or the need for additional information, the applicant will be advised to submit or provide additional necessary data and material. Where review of the Environmental Impact Assessment discloses need for revisions, applicant will be notified of the necessary changes.

In those instances where the support of a project would produce a significant effect on the environment, it may be necessary to request the applicant to develop materials to be used in preparing a draft Environmental Impact Statement which will be reviewed and issued by the Department of Commerce. (Section II).

B. GUIDELINES FOR ANALYZING SIGNIFICANT ENVIRONMENTAL IMPACTS

The ten categories listed are areas of environmental concern regulated by Federal law. The proposed project must consider in detail potential effects it will have on each of these areas and must conform to permit and public notice requirements.

1. *Land Use*

a. *Development Impact:* (1) Describe the project site and its present use.

(2) Describe the existing land use plan and zoning designations for the project area. Determine whether the plan and zoning are consistent with each other and with the zoning ordinance. Will a zoning amendment be necessary to permit construction of the project?

b. *Impact on other Community Facilities.* If the proposed project is a new or expanded community facility system, does it have the capacity to provide for:

(1) Nursing Homes or Hospitals: 200 units (beds) or more.

(2) Subdivisions: Typical proposed lot size 6000 sq. ft. or greater = 100 units or more.

(3) Multifamily structures: Typical proposed lot size under 6000 sq. ft. = 200 units or more. This was a threshold limit established by HUD, 4010.1 CHG, Nov. 4, 1974.

If the facility has the potential to expand the size of a community beyond these thresholds then special attention must be given to the impact on other community facilities such as schools, hospitals, recreational resources, transportation facilities, fire stations, libraries. Current capacities of the existing public facilities of the area including waste water treatment and water supply systems need to be identified and future demands on their capacities projected.

c. *Submit a small-scale map,* using USGS topographic map 1:24,000 and U.S. Soil Conservation soil/slope maps, locating environmental features of the area in relation to the proposed project:

Dunes	Farmland
Beaches	Seismic conditions
Slippage soils	Streams and creeks
Steep slopes	Wildlife habitats
Wetlands	Proximity to dedicated public use areas
Areas of scenic beauty	Highways and secondary roads
Floodplains	Designated historic preservation areas
Woodlands	
Aquifer recharge areas	

d. *Floodplains.* According to Executive Order 11988, dated May 24, 1977, the term floodplain means "the lowland and relatively flat areas adjoining inland and coastal waters including flood-prone areas of offshore islands, including at a minimum, that area subject to a one percent or greater chance of flooding in any given year." This Executive Order requests that all agencies must protect the values and benefits of floodplains and reduce risks of flood losses by not conducting, supporting or allowing action located in flood plains unless it is the only practicable alternative. Use available HUD floodplain boundary maps, or more detailed U.S. Army Corps of Engineers maps or other available floodplain information, to locate the project in relation to the 100-year floodplain.

If it is determined from the environmental analysis that the only feasible location for the project is a designated floodplain, then the design of the project must (i) minimize potential harm to the floodplain, (ii) meet flood-proof standards under the National Flood Insurance Program and (iii) insure that the project in compliance with the Flood Disaster Protection Act is a special flood hazard area as specified in Section 102 (a) Title I.

e. *Wetlands.* "The term 'wetlands' means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds." This definition was contained in Executive Order 11990, dated May 24, 1977.

According to the Order, Federal assistance for new construction located in wetlands should be avoided unless the agency finds that there is no practicable alternative and that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.

The term "new construction" includes "draining, dredging, channeling, filling, diking, impounding and related activities and any structures or facilities begun or authorized after the effective date of the Order (May 25, 1977)."

Each Federal agency is also required to provide opportunity for early public review on any plans or proposals for new construction in wetlands.

The nation's wetlands are also protected by section 404 of the Federal Wate Pollution Control Act of 1972 which requires the applicant to apply for a permit for dredge and fill activities in wetlands from the U.S. Army Corps of Engineers. The permit must be obtained by the applicant prior to submission of the application for CEIP funding.

Evaluation of the cumulative effect of piecemeal changes in wetland areas is emphasized in the Corps regulations. No permit is granted unless the benefits of the proposed alteration outweigh the damage to the wetlands resource and the proposed alteration is necessary to achieve those benefits. The applicant must further provide sufficient data on the availability of feasible alternative sites.

If the proposed project will either be located in or adjacent to a wetlands using the above definition, please estimate the project location on the U.S. Geological Survey topographical map exhibit, 1:24,000 (See Section B, Subsection 1(c)) and complete the following check list.

Do the wetlands within the impact area provide:

Feeding for waterfowl, migratory birds and other species.[1]

Wintering areas for waterfowl.[1]

Nursery areas.[1]

Breeding areas.[1]

[1] Identify major species of mammals, fishes, birds, reptiles and amphibians.

Barrier Islands.[1]
Grass Beds.
Shellfish Beds.[1]
Drainageways.
Vegetated Tidelands (salt marshes and mangrove swamps).
Buffer areas.
Migration Pathways.[1]
Filter areas for pollution. (Specify proximity to urban areas and industrial facilities.)
Recharge areas for ground water and aquifers.
Fish and Wildlife game refuge.[1]
Wildlife habitat, including endangered species (Specify type of habitat).[1]
Dedicated Public Use Areas.
Has the applicant applied for or received a permit from the U.S. Army Corps of Engineers?
Has the applicant applied for or received a permit from the State/local wetlands management authority?
Give the name and address of the State and local wetlands management authority.

Information on the resident and migratory species of wildlife and the functions performed by the wetlands in question can be obtained from the U.S. Fish and Wildlife Service field offices, local and State game and fish agencies, local wetlands commissions and other related agencies.

f. *Farmland.* The Coastal Zone Management Act designates farmland in production as a preferred economic activity in the coastal zone. If the proposed project site will incorporate existing farmland either under production or not in production, complete the following check list:

Does any portion of the project site meet the criteria for prime farmland as defined by U.S. Soil Conservation Service USDA in the Land Inventory and Monitoring Memo-3 (October 31, 1975).
Is the site in a special agricultural district designated by either the State or local governments?
Is the cropland on the site significantly used by wildlife for feeding, nesting or breeding areas?
Is the site located in a district designated by any planning agency as farmland?

Information for this section can be obtained from the nearest Soil Conservation Service office of the Department of Agriculture, the State Conservation/State Extension Services or other appropriate agencies.

g. *Wildlife Habitat.* (1) The Federal Fish and Wildlife Coordination Act of 1958 recognized the value of wildlife and wildlife habitat as a national resource to be conserved and protected. If the proposed project, or any one of the alternatives, is located in or adjacent to a natural area (wetlands, cropland, dedicated use area) providing wildlife habitat, determine the major effects of the action on the habitat area assessing the extent of the impact.

i. What are the primary species of animals, birds and reptiles common to the area?
ii. What land area will be altered? In what manner?
iii. Are any rare or endangered species indigenous to the proposed altered lands?[2]

[2] If the answer is yes, please describe in greater detail.

iv. Will there be a change in vegetation or stream flow patterns over a large area of land which would affect habitat?[2]
v. Can habitats elsewhere be purchased and improved to accommodate lost population?[2]
vi. What special habitats, such as food, cover, nesting and breeding areas will be changed and what will be the effects of the changes?
vii. What are the important commercial and sports species utilized in this area?
viii. Will the action alter migration patterns (waterfowl, fish, wildlife)?

(2) Concern for various species of fish, wildlife, and plants endangered by economic growth and development without accompanying conservation measures led to the enactment of the Federal Endangered Species Act of 1973.

Therefore, please indicate whether the proposed project could:

i. Jeopardize the continued existence of any endangered or threatened species (flora and fauna), and
ii. Result in the destruction or modification of a habitat or a portion of such habitat of endangered or threatened species.

This analysis shall be conducted in consultation with the Regional Directors of the U.S. Fish and Wildlife Service and/or the Regional Directors of the National Marine Fisheries Service. If there appears to be an effect, the CEIP office shall be notified and shall coordinate the project with the Regional Directors of the U.S. Fish and Wildlife Service. The results of this coordination shall be included in the assessment and considered in the environmental impact consideration.

2. *Noise Impacts*

New construction or substantial rehabilitation of noise sensitive land uses such as nursing homes, hospitals, group practice facilities and the location of day care or community counselling services must be justified if it is located in unacceptable noise zones.

To determine if the proposed project is in an unacceptable noise zone, apply Noise Abatement and Control Standards set by HUD Circular 1390.2.

a. *Unacceptable Noise Standards.*[2]—Exceeds 80 dB(A) 60 minutes per 24 hours. Exceeds 75 dB(A) 8 hours per 24 hours.

b. *Optimal Noise Standards.*—Does not exceed 45 dB(A) more than 30 minutes per 24 hours.

c. *The following is a noise standard reference guide:*

Near airport—Jet plane 100 ft. away—average 130 db(A) internal combustion aircraft engine—average 110 dB(A).

Near traffic—Busy street—average 80 dB(A). Automobile at 35–40 M.P.H. average 70 dB(A). Subway train passing station—100 dB(A).

Near large industry: (identify). Pneumatic riveter—average 130 dB(A). Pneumatic drill, 20 ft. away—90 dB(A).

[2] The decibel values for those sound levels measured using A-weighting network of a standardized sound level meter. The A-weighting approximates the response of the human ear to noise.

Are there TV or radio transmission facilities within three horizontal miles of the facility? If so, describe.

3. *Air Quality*

Federal air quality standards to meet national air quality goals are divided into two categories: primary standards designed to protect human health, and less stringent secondary standards to protect property and aesthetics.

Each State has the primary responsibility to assure air quality by the establishment of implementation plans which specify the manner in which national primary and secondary ambient air quality control regions will be achieved and maintained within the various air quality control regions (title I, section 107) of the Clean Air Act. To determine if the proposed action will have an effect on air quality sufficient to require a detailed assessment, the following should be submitted for the proposed project and considered for each alternative (if applicable).

a. Types of contaminants, specifically toxic or nuisance pollutants such as carbon monoxide, nitrogen dioxide, sulfur oxides, organic compounds, photochemical oxidants, suspended particulate matter, hydrogen sulfide, lead, fluoride, calcium oxide, and beryllium.

b. Proximity to human habitations, especially if within one mile of airports, schools, residential areas, etc. because of possible effects on visibility, esthetic, health, vegetation, and animal life.

c. Topographic features—influencing air currents and ventilation factor.

d. Ventilation factors as measured by volume of air available for the dispersal of pollutants which is dependent upon the character and height of the temperature inversion layer and the amount of windflow. Undesirable effects can be caused in areas that have high frequency of temperature inversions and low wind speeds (0–5 mph).

e. Air pollution history of the area where the action would take place, especially if local air quality standards are being exceeded.

f. Existing industrial concentration and associated air contaminants.

g. Potential for changes in the microclimate of the area (i.e., the climatic structure of the air space near the ground such as temperature, humidity, wind, air pollution, etc.).

This information is available from the State Air Quality Control Board or from the Regional EPA Offices.

Wherever there is some variation between State (or local) and Federal air quality standards, the strictest one applies to the project.

4. *Water Quality*

Each State is required to set water quality standards for State waters within its boundaries and to set effluent limitations and total maximum daily loads of pollutants including thermal discharges in order of the severity of pollution.

a. *Standards.*—For projects discharging effluents into the waterways, applicable effluent limitations and state water

quality standards for the impact area should be listed. Information can be obtained from the State water control authority or the Regional EPA Office. Water quality problems already identified by local/State or Federal agencies should be specified.

b. *Environmental effects.*—To determine whether the proposed project will cause significant environmental effects on the biota or human usage of water, the following information should be considered for each alternative and submitted for the proposed project (if applicable).

(1) Will the water temperature change? Indicate volume and temperature of merging waters.

(2) Will the water solids content change because of increased suspension of solids, increased settling of solids, or a change in dissolved solids?

(3) Will there be a significant change in nitrogen saturation? [4]

(4) Will there be any change in concentration of hazardous chemicals or radionuclides? [4]

(5) Will there be a change in pathogens? [4]

(6) Will impoundments or changes in water temperature change the rate of eutrophication? [4]

(7) Will the taste or odor change. [4]

(8) Do any of these changes in water quality create conditions which are outside of permissible or desirable conditions as expressed by water quality standards or general social opinion? [4]

5. *Waste Water Treatment Plants*

If the proposed project is a waste water treatment plant, the following information is requested. This information follows closely the information needed for the facility—planning process developed by EPA for its municipal grants construction program for sewage treatment works, authorized under Title II of the FWPCA. The purpose of coordinating the CEIP grant program with EPA's program is to insure that the intent of the Federal Water Pollution Control Act is carried out.

a. *State Continuing Planning Process or Related Projects and Basin Plans.*—Plans for the proposed treatment plant must conform to applicable approved basin plans prepared under section 303 of the FWPCA. Under the State continuing planning process, "segments" of the nation's waterways have been classified initially as "water quality limited" or "effluent limited". "Water quality limited" segments are those which cannot be expected to meet established water quality standards even if all point sources achieve the effluent limitations required by section 301 of FWPCA. "Effluent limited" segments are those where water quality standards can be achieved after all point sources meet the effluent limitations required by section 301.

b. *Effluent Limitations.*—The assessment should list the effluent limitations applicable to the facility being planned. These effluent limitations normaly may be found in a municipal permit issued under the National Pollutant Discharge Elimination System. A copy of the municipal permit should be attached to the assessment.

If the proposed project is on a "water quality limited" waterway the applicable water quality standards should be obtained from the State and briefly be summarized in the assessment, in addition to effluent limitations necessary to meet the applicable water quality standards.

If the proposed treatment plant will discharge into an "effluent limited" stream segment, secondary treatment must be provided as a minimum (40 CFR Part 133 "Secondary Treatment Information," FEDERAL REGISTER Vol. 38 No. 159, August 17, 1973, pp. 22298–22299). Discharge limitations for treatment plants on "water quality limited" segments will be determined in the basin planning process or, if not available, in conjunction with the permit program.

c. *Areawide Waste Treatment Management Plans.*—Areawide plans, authorized under section 208 of the FWPCA, are to set forth a comprehensive management program for collection and treatment of wastes and for controlling pollution from all point and non-point sources. Indicate whether the proposed project has been considered, is part of, or has been rejected by, the areawide 208 plan or statewide nondesignated area plan.

d. *Title II, section 201 EPA grant program.*—Is the proposed waste treatment project on the State priority list? If so, has it been rejected by EPA or any other Federal agency.

e. *Municipal permits.*—The Waste Water Treatment Plant plan must, as a minimum, conform with all applicable permit requirements and include a copy of the permit if already obtained.

f. *Planning Area for Alternatives.*—The facility planning area for any new waste water treatment should be large enough to analyze the cost-effective alternative methods of waste transport, treatment handling and disposal of sludge and disposal of treated effluent. It should also be large enough to analyze both the primary and secondary (induced growth) effects of alternatives.

(1) Provide a USGS topographic map showing the planning area, the boundaries of political jurisdictions, boundaries of streams, lakes, water impoundments and water basin and service areas of existing waste treatment systems.

(2) Existing waste water flows and treatment systems. Provide an inventory of existing waste water treatment systems, including services, treatment plants, effluent disposal or reuse methods, sludge disposal methods, and flows and waste reduction measures if any in the planning area.

g. *Develop and Evaluate Alternatives.*—The alternative of optimizing performance of existing facilities should be considered first. The level of treatment attainable with optimum performance should serve as a baseline for planning additions or modifications to the treatment system.

Regional Solutions. The possibility of a regional solution to waste water treatment problems should be explored early in the planning process to reduce the number of options requiring detailed consideration to a manageable number. Regional solutions may include interconnection of facilities, construction of one or more large facilities to eliminate the need for many small facilities and joint management of facilities to improve operation and maintenance and reduce costs. Joint facilities may involve interceptors, treatment plants and sludge and effluent disposal systems.

Existing plans which address regional options should be referenced and important conclusions summarized in the assessment. Further analysis of options will not be necessary if regional questions are resolved by existing plans.

h. *Infiltration and Inflow.*—Absent a State certification that excessive infiltration/inflow does not exist, then estimate the infiltration/inflow into the system. Approximate, on a preliminary basis, the costs of treating the existing problems versus the costs of rehabilitating the sewer system to eliminate the problem.

i. *Dredging and Filling.*—Title IV, Permits and Licenses (section 404(a)), authorized the U.S. Army Corps of Engineers to regulate discharging of dredge or fill material into navigable waters by issuing permits. Section 303(b) directs EPA to develop guidelines with the U.S. Corps of Engineers to evaluate the disposal sites for the fill in terms of the effect on municipal water supplies, shellfish beds, fishery areas (including spawning and breeding areas), wildlife or recreational areas.

For projects with dredging and filling activities, describe the type, composition and quantity of the material to be dredged, the method of dredging and the site and plans for disposal of the dredged material.

6. *Solid Waste Management*

Indicate all aspects of the project including beneficiaries' operations, and known indirect effects which will necessitate the disposal of solid wastes. Indicate the kinds and expected quantities of solid wastes involved and the disposal techniques to be used. Evaluate the adequacy of these techniques especially in relationship to air and water quality. Indicate if recycling or recovery programs are or will be used. Cite any contacts with appropriate experts.

7. *Human Population*

Will the construction of the facility disrupt one of the following services to a human population for more than 24 hours: water, electrical power, natural gas, or sewage. Indicate the number of people to be relocated and arrangements being made for the relocation. A project must comply with requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Pub. L. 91–686).

[4] If the answer is yes, please quantify with the best available information.

8. *Transportation*

Describe available transportation networks such as highways and rail. Estimate the increase in motor vehicle traffic and the ability of existing roads to safely accommodate this increase. Describe new traffic patterns which will arise because of project. Discuss how these new traffic patterns will affect the land uses described above especially residential, hospitals, schools and recreational. Describe the consistency of the project's transportation impacts with the transportation plans for the area and any air quality thresholds. Cite any contact with appropriate experts.

9. *Wild and Scenic Rivers*

Indicate whether the project will affect a river or portion of it which is either included in the National Wild and Scenic Rivers System or designated for potential addition to the system. If so, an analysis shall be conducted through discussions with the appropriate regional office of the Bureau of Outdoor Recreation, the U.S. Department of Agriculture when forest service lands are involved, and appropriate State agencies having implementation authorities. Summarize the results of these discussions. If there appears to be an effect, the CEIP program staff shall be notified and will then coordinate the project with the Secretary of Interior or Agriculture, as required.

The results of this formal coordination shall be included in the assessment and considered in the environmental impact determination.

10. *Historic Preservation*

In this section, steps shall be taken to comply with the "Procedures for the Protection of Historic and Cultural Properties." First, indicate that the National Register of Historic Places has been reviewed and whether there are any listed properties located within the area to be affected by the project. Second, indicate the steps taken such as historical/archeological surveys to determine if there are any properties eligible for listing located within the affected area. Summarize the results of the consultation with the State Historic Preservation Officer (SHPO) and attach appropriate documentation. Discuss the views of any other experts contacted. Based upon the above review process and the views of the SHPO, state whether or not an eligible or listed property will be affected.

If there will be an effect, discuss all of the steps and protective measures taken to complete the "Procedures." Describe the affected property and the nature of the effect.

Describe alternative solutions. For example, the Public Buildings Cooperative Use Act will allow the Public Buildings Service of the General Services Administration (GSA) to locate Federal offices in buildings of historic and architectural value and encourage mixed commercial and cultural uses.

II. PROCEDURES FOR PREPARING ENVIRONMENTAL IMPACT STATEMENTS (EIS)

The Environmental Impact Assessment prepared for a proposed project will be reviewed by the OCZM Associate Administrator in accordance with these guidelines, and with Department of Commerce Administrative Order 216-6, and a "Notice of Intent" or a "Notice of Negative Declaration" will be issued.

Notice of Intent.—A notice of intent is a CEIP letter, memorandum or news release that notifies appropriate Federal, State and local agencies, and the public that the OCZM intends to prepare an environmental statement on a particular action based on the environmental assessment and review.

Notice of Negative Declaration.—A notice of negative declaration is a CEIP letter, memorandum or news release notifying appropriate Federal, State, and local agencies, and the public that an environmental statement is not required and will not be prepared on a particular action.

A. REGIONAL EIS

The Associate Administrator may determine that a Regional EIS will be prepared if a group of related projects are concentrated in a geographic area. A regional EIS will be prepared by the CEIP staff in coordination with the appropriate local, State, and Federal interests.

B. DECISIONS OF ADEQUATE PRIOR ENVIRONMENTAL REVIEW

The Associate Administrator can determine that the Environmental Impact Assessment on a project has received "adequate" prior environmental review. Projects which have been the subject of prior assessment either by the Department of Commerce, or another Federal agency, or have been covered by an areawide Environmental Impact Statement shall not require additional environmental assessment if the following conditions are met:

1. An environmental review pursuant to NEPA has been undertaken by a Federal agency and completed within the last three years;

2. The prior review has been evaluated by CEIP staff and found to be:

a. Sufficiently detailed and accurate in its description of the proposed action to allow a substantive judgment of the environmental consequences of those actions;

b. Currently accurate in its description of existing and prospective site and technology conditions which might affect the contemplated project;

3. The prior review has not been subjected to legal challenge, or if challenged, was found by the court to be adequate, and no further legal action is pending;

4. There are no identifiable adverse consequences to the proposed CEIP action which are environmentally significant and which might be mitigated or prevented through evaluation and/or project modification.

C. "THIRD PARTY" AGREEMENTS

If in the application process for section 308 (E) and (G) Grants it becomes evident that an EIS will be required, the responsible official may seek the applicant's interest in developing a draft EIS by the "third party" method. Generally, such an agreement should be established prior to the development of the applicant's Environmental Impact Assessment and serve the purpose of such environmental impact assessment.

Such agreement will not be initiated unless both the applicant and OCZM have agreed to its establishment. Under a third party agreement, both the applicant and OCZM have certain minimum responsibilities. The applicant will be responsible for retaining a third party consultant to prepare materials for use in the EIS. OCZM shall approve the selection of the third party consultant and shall base such approval on the objectiveness of the consultant, including such factors as the degree of financial independence, the ability to make a free and independent appraisal of environmental impact, and the absence of conflicting interest. In all cases OCZM will be responsible for the scope and content of the assessment or impact statement prepared under NEPA.

T. P. GLEITER,
Assistant Administrator for Administration.

AUGUST 26, 1977.

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